

HEATHER E. WILLIAMS, #122664
Federal Defender
DOUGLAS J. BEEVERS, # 288639
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, CA 95814
Telephone: (916) 498-5700
Fax: (916) 498-5710
Douglas_Beevers@fd.org

Attorney for Defendant
SAMUEL KERFOOT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:23-cr-00269-DAD
)	
Plaintiff,)	STIPULATION AND ORDER TO CONTINUE
)	RESTITUTION HEARING
v.)	
)	Date: June 9, 2025
SAMUEL KERFOOT,)	Time: 9:30 a.m.
)	Judge: Hon. Dale A. Drozd
Defendant.)	

IT IS HEREBY STIPULATED by and between Michele Beckwith, Acting United States Attorney, through Shea J. Kenny, Assistant United States Attorney, attorney for Plaintiff, and Heather Williams, Federal Defender, through Assistant Federal Defender Douglas J. Beevers, attorneys for Samuel Kerfoot, that the restitution hearing currently scheduled for June 9, 2025, at 9:30 a.m., be vacated and the matter continued to June 23, 2025, at 9:30 a.m.

Prison staff at FCI Sheridan advised that a legal call could not be arranged until June 11th. A call is needed with Mr. Kerfoot to confirm his acceptance of the settlement terms. In addition, counsel needs to discuss the impact of the Ninth Circuit's recent decision holding that restitution is not necessarily limited to claims that were timely included in the pre-sentence report. See Davis v. USDC for the N. Dist. of California, CA No. 24-3090 available here: <https://cdn.ca9.uscourts.gov/datastore/opinions/2025/06/02/24-3090.pdf>

1 The Defendant has waived presence for the hearing and is serving his 324 month
2 sentence. The parties believe a continuance to June 23, 2025, will permit defense counsel the
3 additional time necessary. The Government and US Probation do not object to the continuance.
4

5
6 DATED: June 3, 2025

Respectfully submitted,

7 HEATHER E. WILLIAMS
8 Federal Defender

9 /s/ Douglas J. Beevers
10 DOUGLAS J. BEEVERS
11 Assistant Federal Defender
Attorney for SAMUEL KERFOOT

12 DATED: June 3, 2025

MICHELE BECKWITH
Acting United States Attorney

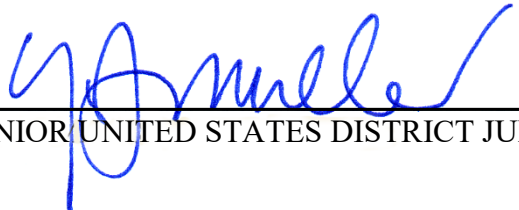
13 /s/ Shea J. Kenny
14 SHEA J. KENNY
15 Assistant United States Attorney
Attorney for Plaintiff
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

It is ordered that the June 9, 2025 restitution hearing shall be continued until June 23, 2025, at 9:30 a.m.

DATED: June 4, 2025.



SENIOR UNITED STATES DISTRICT JUDGE